

Landscape Referral Response

Application Number:	DA2020/0189
Date:	27/04/2020
Responsible Officer:	Nick Keeler
Land to be developed (Address):	Lot 701 DP 1143488 , 13 Amiens Road CLONTARF NSW 2093

Reasons for referral

This application seeks consent for the following:

- Construction / development works within 5 metres of a tree or
- New residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- Mixed use developments containing three or more residential dwellings.
- New Dwellings or

Officer comments

The development application is for the demolition of the existing dwelling house and construction of a new dwelling house, garage and studio below, landscaping and site works at 13 Amiens Road, Clontarf.

Additionally, updated development application plans deleted the Inclinator from the application.

The development application is assessed by Council's Landscape Referral section against the landscape controls of Manly DCP 2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types.

A Arboricultural Impact Assessment prepared by Complete Arborcare is submitted with the application in accordance with DA Lodgement Requirements. It is noted that the report is based on the submitted development application documents with the Inclinator included in the works. The review of this report shall be against the updated architectural plans without the Inclinator as part of the application. Five trees were initially impacted by the Inclinator and external works nearby including the reflection pond, stairs and retaining walling. One tree identified as T4 (Jacaranda) is Exempt and does not require Consent for removal. Of the four remaining trees identified in the report, removal of trees T5, T6, and T7 (all Cheese Trees) are impacted by the proposed reflection pond, stairs and retaining walling. Existing tree T3 (Tea Tree) does not require removal and was only impacted by the Inclinator proposal.

Three replacement trees are required as replacement planting for T5, T6, and T7. All other trees and vegetation in the vicinity of the works shall be retained and protected.

A Landscape Concept Plan is submitted with the application. The information is inadequate and an amended Landscape Plan shall be provided prior to Construction Certificate, in accordance with DA Lodgement Requirements.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the

Responsible Officer.

Recommended Landscape Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Amended Landscape Plan

An amended landscape plan shall be provided to the Certifying Authority for approval prior to the issue of a Construction Certificate.

The Landscape Plan must illustrate:

- proposed surface treatments and materials, including but not limited to structures, features, walling, fences, pavements, gardens, lawns, ground stabilisation, drainage, irrigation etc.,
- existing and proposed ground levels,
- outline of proposed buildings, driveways and structures, including swimming pools, pavements, walls and fences, all consistent and co-ordinated with building and services plans,
- location, height and materiality of proposed retaining walls and fences,
- existing street trees or trees on neighbouring properties that may be impacted by the proposed development,
- existing trees and other vegetation to be retained or removed. All trees are to be located, identified and numbered, and shall coincide with the arborists report,
- proposed planting scheme including species selection, location, quantities, mature heights and pot sizes,
- rock outcrops and other landscape features,
- location of any underground services,
- soil depth of planter boxes on-slab, and
- any irrigation systems.

Specifically, the amended landscape plan shall demonstrate that the intent of Manly DCP clause 3.3.1 Landscaping Design and clause 4.1.5 Open Space and Landscaping is satisfied, and that the number of trees to be provided within the site in accordance with 4.1.5.2 (c) Minimum Tree Planting. It is expected that the lawn open space areas between the dwellings shall support new tree planting as replacement for trees removed.

New tree planting shall meet the following requirements:

- located within natural ground areas of substantial area (minimum 12m²) for each tree,
- located away from common boundaries,
- planted at least 4-5 metres from buildings, and at least 4-5 metres from all other trees, and
- shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views.

The Certifying Authority must be satisfied that all of the relevant requirements listed above have been included in the amended landscape plan.

Reason: ensure the landscape treatments soften the built form.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

Approval is granted for tree removal as recommended in the Arboricultural Impact Assessment prepared by Complete Arboricare, including:

- Tree 5 (Cheese Tree)
- Tree 6 (Cheese Tree)
- Tree 7 (Cheese Tree)

Tree 4 (Jacaranda) is Exempt and does not require Council consent.

No other existing trees may be removed. Any subsequent request for tree removal is subject to a Section 4.55 modification application, or an assessment by a AQF level 5 Arborist that determines that the tree presents an imminent risk to life or property.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree protection measures

A Project Arborist with AQF minimum Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for existing trees to be retained and protected, requiring site attendance during demolition, excavation and construction works, in accordance with AS4970-2009 Protection of Trees on Development Sites, with particular reference to Section 4, and the recommendations of the Arboricultural Impact Assessment prepared by Complete Arboricare.

This shall include all tree sensitive works in the vicinity of the existing trees that have been identified in the Arboricultural Impact Assessment as: Section 9.1, including:

- arborist supervision is undertaken when the removal of the existing driveway crossover is conducted. The method of removal must be non-destructive and guided by the arborist.
- stem protection around tree T1 Angophora costata (as described in Appendix C of this report) must be installed before any works commence and stay in place until the completion of the project,

and the following added requirement

- arborist attention to ensure no impact to T2 Angophora costata in the adjoining property, with all works prohibited within the tree protection zone of T2.

The Arborist shall submit certification that the works described in the above sections have been correctly installed and adhered to during the construction period.

The tree protection measures specified in this clause must:

- i) be in place before work commences on the site, and
- ii) be maintained in good condition during the construction period, and
- iii) remain in place for the duration of the construction works.

The Certifying Authority or a Project Arborist AQF Level 5 must ensure that:

- vi) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and
- vii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: to ensure tree protection is provided and maintained.

Tree and vegetation protection

a) Existing trees and vegetation shall be retained and protected as recommended in the Arboricultural Impact Assessment prepared by Complete Arboricare, including:

- i) all trees and vegetation within the site not approved for removal, specifically T3, excluding exempt vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties, and specifically T2,
- iii) all trees and vegetation within the road reserve, specifically T1.

b) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF minimum Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF minimum Level 5 Arborist,
- iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an AQF minimum Level 5 Arborist. Details including photographic evidence of works undertaken shall be submitted to the Certifying Authority,
- v) to minimise the impact on trees and vegetation to be retained and protected, no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
- vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a AQF minimum Level 5 Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF minimum Level 5 Arborist on site,
- viii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF minimum Level 5 Arborist, including advice on root protection measures,
- ix) should either or all of vi), vii) and viii) occur during site establishment and construction works, a AQF minimum Level 5 Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
- x) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works, is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS 4970-2009,
- xi) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

c) All protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree

Reason: to retain and protect significant planting on development and adjoining sites.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Landscape works completion

Landscape works are to be implemented in accordance with the approved amended landscape plan.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or

landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the approved amended landscape plan and with any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQF minimum Level 5 qualifications in arboriculture/horticulture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, and specifically T1, T2 and T3, including the following information:

- i) compliance to any Arborist recommendations for tree protection and excavation works,
- ii) extent of damage sustained by vegetation as a result of the construction works,
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: to retain and protect significant planting on development and adjoining sites.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape maintenance

Any existing landscaping including trees required to be retained together with any additional landscaping required by this consent is to be maintained for the life of the development.

A 12 month establishment period shall apply for all new landscaping. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe useful life expectancy. Planting that may die or is approved for removal must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.